

REPORT TO THE SUCCESSOR AGENCY OVERSIGHT BOARD



DATE: March 9, 2016

TITLE: Continuation of Legal Services with Barry Schultz

Prepared by: Linda Kelly, Program and Financial Specialist

Reviewed by: Robert Lee, Assistant City Attorney

RECOMMENDATION

- 1) Direct staff to work with Barry Schultz and the new law firm with which he is associated on a new Professional Services Agreement for legal services to be provided to the Desert Hot Springs Successor Agency Oversight Board in the amount of \$30,000.00; OR
- 2) Direct staff to prepare an RFP/RFQ to solicit for a period of 60 days qualified legal firms to submit bids for legal services for the Desert Hot Springs Successor Agency Oversight Board and approve a 90 day extension of services with Barry Schultz and his new firm until a replacement firm is selected.

BACKGROUND

In May 2012 a Request for Proposals ("RFP") was mailed to local Coachella Valley law firms specializing in municipal law, as well as to firms in Riverside and Los Angeles counties. The RFP was also posted to the website of the City of Desert Hot Springs for sixty (60) days.

The Successor Agency to the Desert Hot Springs Redevelopment Agency ("Successor Agency") received a total of two (2) proposals and based on the overall background of the firms that submitted a proposal, the Successor Agency selected Stutz Artiano Shinhoff & Holtz (the "Firm") as the firm to perform legal services on behalf of the Successor Agency's Oversight Board ("Oversight Board"). The Firm's original contract was executed on July 11, 2012 in the amount of \$30,000.00.

DISCUSSION

Mr. Schultz recently left the Firm and has joined a new law firm called Devaney Pate Morris and Cameron, LLP. Mr. Schultz and his new firm have agreed to continue servicing the Oversight Board in the same capacity. Riverside County will not be taking over the "board requirements" from the local agencies, including the Oversight Board, until sometime in 2017 or possibly later, which means the Oversight Board will continue to need legal services until that time.

Staff is recommending that the Oversight Board approve the continuation of services with the existing attorney, Mr. Schultz, and his new firm and direct staff to move forward with a professional services agreement in the amount of \$30,000.00 with a term from April 1, 2016 through June 30, 2018.

FISCAL IMPACT

The Successor Agency has budgeted sufficient funding in the 2015-2016 and 2016-2017 budget which was approved by the City Council in June 2015. The Oversight Board has also approved the funding for their services in each ROPS period through June 30, 2017.

EXHIBIT(S)

None.